

SC Commission for the Blind



Vanessa Cruell
CPM Project
February 28, 2022

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Introduction

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The history of vocational rehabilitation is characterized by recurring legislative mandates, the changing priority focus and expansion of eligible populations for rehabilitation service delivery, and the development of service methodologies fueled by labor market changes and technological advances. Added to these factors are the growth of professionalism within the rehabilitation and vocational evaluation fields, and philosophical changes emerging from the implementation of needs and labor market developments. Since 1920, federal legislation authorizing vocational and related educational services has grown from a small, temporary program for persons with physical disabilities to a broad army of programs serving persons with physical, mental, or emotional difficulties. (Power, A Guide to Vocational Assessment, p. 11).

The mission of the South Carolina Commission for the Blind (SCCB) is to provide quality individualized vocational rehabilitation services, independent living services and prevention of blindness services to blind and visually impaired consumers, leading to competitive employment and social and economic independence. The SCCB was established as an independent State commission responsible for the administration of the vocational rehabilitation program for eligible blind and visually impaired individuals in South Carolina. All decisions affecting eligibility for, the nature, scope, and provision of vocational rehabilitation and supported employment services are made by the SCCB and are not delegated to any other agency or person. ~~In order to~~To receive SCCB services, an individual must first be determined eligible.

Section I – Problem Statement

Although the vocational rehabilitation program is an eligibility-based program, the written communication regarding eligibility and ineligibility determination lacks specificity.

Eligibility determination is fundamental in helping SCCB consumers achieve competitive integrated employment. It's the initial process in helping an individual with a disability in the rehabilitation process. Inconsistent application of the four eligibility determination criteria often results in inadvertent misinterpretation. Without a clear understanding of agency policy, eligibility determination may be incomplete.

Currently, VR Counselors rely too heavily on medical documentation to verify an applicant's disability. According the SCCB Policy and Procedures Manual, the four criteria for eligibility determination must include the following:

1. the individual has legal blindness defined as having central visual acuity of 20/200 in the better eye with best corrective lens, or a visual field of 20 degrees or less; **or**
2. has a progressive visual impairment that may result in legal blindness within 24 months; **and**
3. the visual impairment results in substantial impediments to employment for the individual; **and**
4. the individual requires vocational rehabilitation services to prepare for, secure, retain, regain employment, or advance in a career pathway.

To alleviate any misunderstandings, the basis of an eligibility decision must be included in the written communication. Clear and concise written communication regarding an eligibility determination decision will provide clarity on a consumer's individualized need for VR services.

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Section II – Data Collection

Data collection for this project consisted of a review of the Code of Federal Regulation (CFR 361.42) to validate current VR policy regarding eligibility determination decisions. VR and Transition Counselors were surveyed to determine their basic understanding of the tenets of eligibility determination.

The SCCB Case Management System was used to compile trend data regarding the following: individuals who applied for services, the number of eligibility determinations, most common eye conditions from which eligibility determinations are made, and successful and unsuccessful closures as it relates to the most commonly served eye conditions.

Surveys were sent to eleven VR Counselors to gauge their knowledge and understanding of making an eligibility determination decision. These individuals work throughout the state providing rehabilitation services to individuals whose ages range from thirteen and above. Determining eligibility is a crucial tenet of their job responsibility; and as indicated in agency policy, an applicant must be determined eligible or ineligible within sixty days of application. Ten of eleven Counselors completed the survey anonymously. Anonymity was essential to this process to encourage Counselors to respond honestly and without fear of judgment. Survey questions consisted of years of experience as a Counselor, knowledge of eye conditions, knowledge of eligibility and ineligibility determination process, and their perception of adequacy of training on eligibility and ineligibility determination decisions (Appendix A).

Data Analysis

Survey Results

Fifty percent (50%) of the respondents indicated that they were “new” with experience ranging from zero to four years as a VR Counselor; forty percent (40%) indicated that their experience

ranged from five to nine years of Counselor experience; ten percent (10%) had at least ten years of experience as a Counselor. When addressing knowledge as it relates to various eye diseases and conditions, thirty percent (30%) of the Counselors indicated that they felt “very knowledgeable”, while twenty percent (20%) indicated that they felt “knowledgeable”. Notably, forty percent (40%) of Counselors responding to the survey considered themselves only “somewhat knowledgeable” and ten percent (10%) indicated that they felt they possessed very little knowledge about eye diseases and conditions affecting the consumers they serve.

The data illustrating how VR Counselors felt regarding their training to make eligibility determination showed that 60% of Counselor’s felt sufficiently trained while the remaining 40% did not. Ninety percent (90%) of respondents correctly identified the various components used in eligibility determination. Regarding a determination of ineligibility, only fifty-six percent (56%) of respondents provided a correct response. Fifty-five percent (55%) of the respondents indicated that the agency’s eligibility criteria was applied consistently; forty-five (45%) indicated that it was not consistently applied. Question seven surveyed Counselor knowledge on the content of the Certificate of Eligibility (COE) document. The responses were nearly evenly divided with fifty-six percent (56%) responding correctly, while forty-four percent (44%) answered incorrectly. Forty percent (40%) of the respondents correctly identified the criteria for an ineligibility determination decision.

Only fifty percent (50%) of the respondents were able to correctly identify the information to be contained in the written notification of an ineligibility decision. One hundred percent (100%) of respondents indicated that additional training would be beneficial (Appendix A).

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Analysis of a three (3) year data trend of active and closed cases revealed that an average of 84% of applicants were determined eligible for VR services in previous reporting fiscal years. The most common eye conditions for which eligibility was determined were as follows:

Cataracts, Glaucoma, Keratoconus, Diabetic Retinopathy and Retinitis Pigmentosa (Appendix E). Regarding level of blindness, data analysis revealed that forty-eight percent (48%) of applicants were determined eligible who were blind or legally blind at the time of application. Fifty percent (50%) of applicants were not legally blind at application but were determined eligible due to the presence of a progressive eye condition which could lead to legal blindness if left untreated (Appendix E). An average of thirty percent (30%) of eligible consumers were closed successfully with a diagnosis of Cataracts.

This was a significant finding given that a Cataract diagnosis is often the most challenging to substantiate an eligibility determination for an inexperienced VR Counselor.

Implementation Plan

To improve the quality and consistency of eligibility determinations, as well as to ensure compliance with the Code of Federal Regulations and internal VR policies and procedures as it relates to an eligibility determination decision, the following proposal will be made to VR Management:

1. The agency should adopt a policy of training new hire VR Counselors specifically regarding eligibility determinations, including the four components that should be considered when making those decisions. The agency should adopt a policy of ensuring that new VR Counselors receive specific training related to medical diagnosis and various eye diseases and conditions. New VR Counselors should be paired with senior VR

Counselors (those with ten years or more of experience) for the purposes of helping them to understand the importance of eligibility determination. Ultimately, the Regional Director as the VR Counselor's immediate supervisor would be responsible for ensuring proper training.

- The use of a Trial Work Experience as specified in CFR 361.42 (e) and (f) and the VR Policies and Procedures Manual when benefit from vocational rehabilitation services in terms of an employment outcome is questionable.

2.3. The creation of an Eligibility Determination Review Team (EDRT) to assess potential eligibility determinations would ensure consistent application of agency policy. For this proposal, the Eligibility Determination Review Team (EDRT) would consist of two senior vocational rehabilitation counselors within the agency, one or two Regional Directors and one other senior staff member. The VR Counselor would still be responsible for making the initial eligibility determination, and the EDRT would provide input regarding the four components of eligibility determination to ensure that all aspects of the disability are taken into consideration. Information provided by the applicant such as medical reports, academic transcripts, work history's will be entered into the agency's AWARE (case management system) for review. This is a practice utilized by the general agency that helps to ensure that all proper considerations are given when determining eligibility determination. The VR Counselor requests the required documentation needed to determine eligibility and makes a preliminary determination. The information is then shared with the Quality Assurance team to help with determining eligibility and proper Vocational Paths. This manner of eligibility determination would help to alleviate pressure for the VR Counselor in making sure that eligibility determination is correct.

Commented [SN10]: See below

Commented [SN11]: Consisting of whom? You stated that eligibility determination is a critical part of their job, this seems to be usurping that task.

Commented [CV12R11]: I have added additional information regarding the process.

Commented [SN13]: Have you seen these steps used elsewhere successfully? Why did you propose these options? They seem like they came out of the blue with no previous context.

Commented [CV14R13]: I have added additional information regarding where this idea came from and how I think it could be implemented at the SCCB.

All VR Counselors would be required to submit cases to the EDRT prior to advancing a case to Eligible status in the SCCB Case Management System. There must be a unanimous agreement of an applicant's eligibility. In instances wherein clear and convincing documentation of eligibility is lacking, the EDRT must request additional documentation before conclusively determining that an applicant is ineligible. In instances wherein the EDRT determined that an individual is ineligible, the decision must be staffed with the VR Counselor as needed. To ensure that an eligibility or ineligibility decision is made within sixty (60) days from the date of application as required by CFR 361.42 and the VR Program Policies and Procedures Manual, the EDRT must respond to the VR Counselor within thirty (30) working days.

3.4. A revised Eligibility Determination Letter has been drafted and will be proposed to VR Management (Appendix B). Inclusion of language which specifically indicates that the Vocational Rehabilitation Program is an individualized, eligibility-based program for which an assessment determines priority of services would alleviate an applicant's misunderstandings of entitlement. Additional details pertaining to the contents of the Individualized Plan for Employment, (IPE) would provide much needed clarity to an eligible individual regarding expectations and next steps.

4.5. In instances wherein an individual does not meet the vision criteria for eligibility determination, the current Ineligibility Letter has been revised to include information regarding referrals to other organizations and community resources which may be able to meet the applicant's needs.

5.6. Two (2) additional Ineligibility Letters will be proposed to address instances wherein a consumer has been determined to be ineligible after an eligibility determination has been made (Appendix C and D). Standard language will be included to address the following:

- a. Ineligible after an eligibility determination when a consumer is no longer interested in employment
- b. Ineligible after an eligibility determination when a consumer refuses services or further services

If approved, timeline for implementation is expected to be within 30 days. This timeline will include additional training on the eligibility determination process as well the use of the new and revised Eligibility and Ineligibility Determination Letters.

Evaluation Method

The first method of evaluation would be to conduct another VR Counselor survey within six (6) months after the implementation of the new [training regarding eligibility determination](#) procedures since VR Counselors are tasked with the initiation of the eligibility or ineligibility determination process. VR Counselors will be presented with the same questions from the original survey to evaluate their gain of knowledge, level of comfort with eligibility determination, and experience in comparison to their initial responses. To encourage candid feedback, VR Counselors will be able to respond anonymously.

Data collection will include a six (6) month trend data on the average percentage of applicants determined eligible, the average number of the top three (3) eye pathologies for which eligibility is determined, the top three (3) eye pathologies for successful closures and feedback from the newly created Eligibility Determination Review Team (EDRT). The expectation of feedback from the EDRT would be to measure quality and improvement of documentation. This would be especially pertinent for eligibility determination decisions which would be made for applicants

Commented [SN15]: I am not sure how their knowledge would be improved by the steps above. Nothing is being proposed that would improve their knowledge or skills.

Commented [CV16R15]: I have gone back providing VR Counselors with eligibility specific training as my first implementation.

who were not already legally blind and therefore must meet the other three (3) eligibility criteria as specified in CFR 361.42 and the VR Program Policies and Procedures Manual.

Summary and Recommendations

Aside from the need for additional training, the survey results revealed that the quality and accuracy of eligibility determinations would be impacted by:

1. Counselor inexperience
2. Counselor lack of knowledge regarding most commonly served eye conditions and their impact on an individual's functional limitations
3. Criteria for Ineligibility Determination Decisions which are not vision related

Recommendation of the creation of the Eligibility Determination Review Team will be the most impactful on improving the quality of eligibility and ineligibility determination decisions. Providing additional information regarding the availability of other local and community resources may help to alleviate anxiety associated with having to inform applicants of their ineligible status. Oversight of the process beyond the Counselor's immediate supervisor would also provide much needed clarity and could also be a confidence builder for future decision making.

Commented [SN17]: But this was not recommended in the proposal for change....

Commented [CV18R17]: This has now been added as it should have been at the outset.

Commented [SN19]: Okay, this finally got mentioned. What is the role of the supervisor to train and coach the new employee in the correct way to determine eligibility? Are they not doing it, or doing it well? Is there any accountability here?

Commented [CV20R19]: Corrected.

APPENDIX A

Survey Questions and Responses: Tenets of Eligibility

1. How long have you been employed as a VR Counselor?

- a. 0 – 5 years
- b. 5 – 10 years
- c. 10 – 19 years
- d. 20 or more years

Answer Choices	Responses
0 – 4 Years	50%
5 – 9 Years	40%
10 – 19 Years	10%
20 or more years	0%

2. Rate your specific knowledge of various eye diseases and conditions

- a. Very knowledgeable
- b. Knowledgeable
- c. Somewhat knowledgeable
- d. Very Little knowledge

Answer Choices	Responses
Very knowledgeable	50%
Knowledgeable	40%
Somewhat knowledgeable	10%
Very Little knowledge	0%

3. Do you feel that you have been sufficiently trained to perform the duties and responsibilities of a Vocational Rehabilitation Counselor?

- a. Yes
- b. No

Answer Choices	Responses
Yes	60%
No	40%

4. What are the criteria of eligibility determination:

- a. The visual impairment results in substantial impediments to employment for the individual; and
- b. The individual has legal blindness defined as having central visual acuity of 20/200 in the better eye with best corrective lens or a visual field of 20 degrees or less; or
- c. The individual requires vocational rehabilitation services to prepare for, secure, retain, regain employment, or advance in a career pathway
- d. The individual has a progressive visual impairment that may result in legal blindness
- e. **a and d only**
- f. **b and d only**
- g. **b, c, and d**
- h. All of the above

Answer Choices	Responses
a. The visual impairment results in substantial impediments to employment for the individual; and	0%
b. The individual has legal blindness defined as having central visual acuity of 20/200 in the better eye with best corrective lens or a visual field of 20 degrees or less; or	0%
c. The individual requires vocational rehabilitation services to prepare for, secure, retain, regain employment, or advance in a career pathway	0%
d. The individual has a progressive visual impairment that may result in legal blindness	0%
a and d only	0%
b and d only	0%
b, c, and d	0%
All of the Above	90%

5. When should an individual be determined ineligible for services?

- a. When documentation is received verifying the disability
- b. When an individual calls to inquire about agency services
- c. When an individual has no qualifying disability
- d. After you complete the initial interview

Answer Choices	Responses
a. When documentation is received verifying the disability	33%
b. When an individual calls to inquire about agency services	0%
c. When an individual has no qualifying disability	56%
d. After you complete the Initial Interview	11%

6. In your opinion, is the agency's eligibility determination criteria applied consistently:

- a. Yes
- b. No

Answer Choices	Responses
Yes	44%
No	56%

7. For a determination of eligibility, which of the following must the Certificate of Eligibility document include:

- a. An explanation of the impairment
- b. An explanation of how the impairment is a substantial impediment to employment for the individual
- c. Why the individual requires VR services to prepare for, secure, retain, or advance in competitive integrated employment
- d. Acknowledgement of receipt of the Application for Services
- e. All of the above
- f. a thru c only

Answer Choices	Responses
a. An explanation of the impairment	0%
b. An explanation of how the impairment is a substantial impediment to employment for the individual	0%
c. Why the individual requires VR services to prepare for, secure, retain, or advance in competitive integrated employment	0%
d. Acknowledgement of receipt of the Application for Services	0%
e. All of the above	44%
f. a thru c only	56%

8. Which of the following criteria would result in an ineligibility determination:

- a. The Application for Services was not signed and returned
- b. The individual does not meet SCCB's eligibility criteria in regard to their vision
- c. The visual impairment does not result in a substantial impediment to employment
- d. The individual does not require services to prepare for, enter into, engage in, advance in, or retain gainful employment consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, and informed choice
- e. All of the above
- f. b thru d only

Answer Choices	Responses
a. The Application for Services was not signed and returned	0%
b. The individual does not meet SCCB's eligibility criteria in regard to their vision	0%
c. The visual impairment does not result in a substantial impediment to employment	0%
d. The individual does not require services to prepare for, enter into, engage in, advance in, or retain gainful employment consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, and informed choice	0%
e. All of the above	60%
f. b thru d only	40%

9. For a determination of ineligibility, written notification to the individual must include which of the following:

- a. Contact information for another agency or organization with which the individual may be eligible to receive services
- b. A synopsis of the eligibility determination policy
- c. The reasons for the determination; and
- d. The rights and remedies available to the individual; and
- e. The availability of services provided by the Client Assistance Program
- f. All of the above
- g. c thru e only

Answer Choices	Responses
a. Contact information for another agency or organization with which the individual may be eligible to receive services	0%
b. A synopsis of the eligibility determination policy	10%
c. The reasons for the determination; and	0%
d. The rights and remedies available to the individual; and	0%
e. The availability of services provided by the Client Assistance Program	60%
f. All of the Above	30%
g. c thru e only	50%

10. Do you feel that additional training pertaining to eligibility determination would prove beneficial?

- a. Yes
- b. No

Answer Choices	Responses
Yes	100%
No	0%

APPENDIX B
Eligibility Determination Letter



South Carolina
Commission for the Blind

February 28, 2022

Vanessa L. Cruell Goodluck Dummy
135 Cruell Road 23 Happy Trails
Marietta Anywherebuthere, South Carolina 29661-42345

Dear Mrs. Cruell Dummy,

You have been determined eligible to receive services from the Vocational Rehabilitation Program of the South Carolina Commission for the Blind. The Vocational Rehabilitation Program is an individualized, eligibility-based program for which an assessment determines priority of services with the expectation of achieving an employment outcome.

Your eligibility determination was based on the following criteria:

The next step in the rehabilitation process is the development of your rehabilitation plan, which is called your "Individualized Plan for Employment" (IPE). The rehabilitation plan, or IPE, is the document the agency uses to outline the provision of services that will assist you with obtaining or retaining employment. The IPE will include: your vocational goal; the services, service providers and identification of comparable benefits; evaluation criteria for services received, your and VR's responsibilities; and your input, ideas, and preferences.

Your VR Counselor will also provide observation and assessment regarding progress made. VR's responsibility to provide or coordinate services will be clearly defined in the IPE. Every IPE is specific to you as the consumer and the part you play in completing your rehabilitation plan is important. Your VR Counselor will ensure that you understand your responsibilities and how to meet your goals.

You have three choices about how to develop the Individualized Plan for Employment, (IPE):

- (1) you may develop it on your own;
- (2) you may develop it with the help of anyone you choose;
- (3) you may develop it with your Vocational Rehabilitation Counselor.

Regardless of which option you elect, you have the right to "informed choices", which means that you have the right to choose a reasonable vocational goal. It is your responsibility to work with your VR Counselor in planning and completing your rehabilitation plan. Your VR Counselor will assist you in making informed choices related to your vocational goal, the services you receive, service providers, employment settings, and the methods for obtaining services.

Please consider which vocational goal or job you will choose and contact me at (864) 282-4320 to discuss your options and schedule an appointment.

I look forward to hearing from you.

Sincerely,

Vanessa L. Cruell
Vocational Rehabilitation Counselor

Commented [SN21]: This seems pretty flippant and kind of condescending

Commented [V22R21]: You are correct; I have corrected this. It was completely inappropriate.

APPENDIX C

Ineligibility Determination Letter (Does Not Meet Visual Criteria)



South Carolina Commission for the Blind

February 28, 2022

Vanessa L. Cruell Good Luck Dummy
1235 Cruell Road Happy Trails
Marietta Anywhere but here, South Carolina 29661 42345

Dear Ms. Cruell Dummy:

We regret to inform you that your case with the Vocational Rehabilitation Division of the South Carolina Commission for the Blind is being closed effective February 28, 2022 2022, as ineligible for VR services.

Based upon the eye report received by your ophthalmologist, it states that you do not meet the eligibility requirements for our program. Your visual acuity is 20/30 in the right eye and 20/80 in the left eye. The doctor has indicated that you are not legally blind at the present, nor has it been noted that you are expected to become legally blind in the near future.

Contact information for other organizations and/or community resources which may be able to provide assistance are as follows:

Dummy Organization	864-123-4567
Eyeglasses Are Us	864-111-2222
Disability Services	864-765-4321

Should your vision become worse due to your condition, please do not hesitate to contact our office for assistance.

If you have any questions, please feel free to contact me at (864) 282-4320.

Sincerely,

Vanessa Cruell
Vocational Rehabilitation Counselor

APPENDIX D
Ineligibility Letter (After Eligibility Has Been Determined)



South Carolina
Commission for the Blind

February 28, 2022

Vanessa L. Cruell ~~Good Luck Dummy~~
1235 Cruell Road ~~Happy Trails~~
~~Marietta Anywhere but here~~, South Carolina ~~29661~~ 12345

Dear Ms. ~~Cruell~~ ~~Dummy~~:

After a thorough discussion during our most recent counseling and guidance session, we have agreed to the closure of your case with the Vocational Rehabilitation Department of the South Carolina Commission for the Blind. The decision to close your case was based on your intention not to pursue competitive employment. Your case has been officially closed as of February 28, 2022.

You have the right to appeal this decision within fifteen (15) working days from the date of closure. A written request for an informal administrative review of your case can be submitted to the following address: Commissioner of the South Carolina Commission for the Blind, 1430 Confederate Avenue, Columbia, SC 29201.

Thank you for the opportunity to serve you. Should you find that services from the South Carolina Commission for the Blind are needed in the future, please contact this office to reapply.

Sincerely,

Vanessa Cruell
Vocational Rehabilitation Counselor

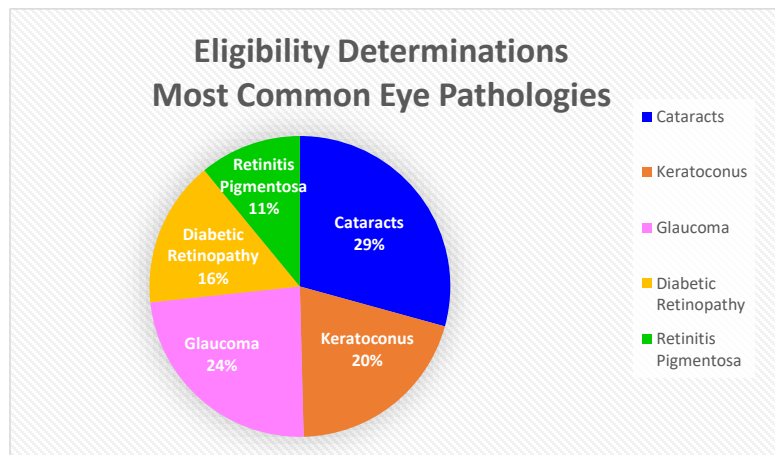
APPENDIX E Eligibility Determination Data



South Carolina Commission for the Blind

Eligibility Determination Decisions and Successful Closures

	SFY 21	SFY 20	SFY 19	3 Year Avg
Applicants	409	335	395	380
Eligibility Determination	352	276	331	320
% of Eligible Applicants	86%	82%	84%	84%
Successful	108	83	66	86
Eye Pathology % of Closures				
Cataracts	30%	20%	41%	30%
Keratoconus	13%	8%	2%	8%
Glaucoma	6%	17%	8%	10%
Diabetic Retinopathy	13%	7%	9%	10%



References

Works Consulted

34 CFR § 361.42 - **Assessment for determining eligibility and priority for services**

South Carolina Commission for the Blind. Vocational Rehabilitation Program Policies and Procedures Manual: Chapter 5 Eligibility and Priority of Services

Power, P. W. **A Guide to Vocational Assessment**, 1984. Pro-Ed Inc.

Staff Interviews

Robinson, Shana (Information Systems and Business Analyst). South Carolina Commission for the Blind. Interviewed by Vanessa Cruell (January – February 2022).

Elaine Robertson (Senior Consultant/Trainer). South Carolina Commission for the Blind. Interviewed by Vanessa Cruell (January – February 2022)

Marshall, Karma (Director of Consumer Services). South Carolina Commission for the Blind. Interviewed by Vanessa Cruell (October 2021 – February 2022).

Massey, Felisa B. (Region I/II Director). South Carolina Commission for the Blind. Interviewed by Vanessa Cruell (December 2021 – February 2022).

Wasif, Zunaira (former Director of Consumer Services). South Carolina Commission for the Blind. Interviewed by Vanessa Cruell [\(before agency departure in 2021\)](#).

[Mulley, Chris \(Vocational Rehabilitation Counselor\). South Carolina Vocational Rehabilitation Department. Interviewed by Vanessa Cruell \(February 2022 – March 2022\).](#)